

**From:** [sarah schneider](#)  
**To:** [Knuuti, Karen](#)  
**Subject:** Fwd: Penobscot Nation Says Expansion of Juniper Ridge Landfill Fails to Meet Environmental Justice Requirements - Public's Comments Now Due by Sept 6th  
**Date:** Wednesday, August 28, 2024 7:05:06 AM

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Hello,  
Thank you for fielding this.

My name is Sarah Schneider. I am a long time resident of Blue Hill, Maine.

As can be seen here, in the section of writings contained in the message from Sunlight Media, this needs to stop and to change.

This expansion of Juniper Ridge Landfill does not meet important standards.

Compassion, Sarah PS Please read on.

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**From:** Sunlight Media Collective <sunlightmediacollective@117740338.mailchimpapp.com>  
**Sent:** Tuesday, August 27, 2024 7:41:27 PM  
**To:** sarahschneid70@hotmail.com <sarahschneid70@hotmail.com>  
**Subject:** Penobscot Nation Says Expansion of Juniper Ridge Landfill Fails to Meet Environmental Justice Requirements - Public's Comments Now Due by Sept 6th

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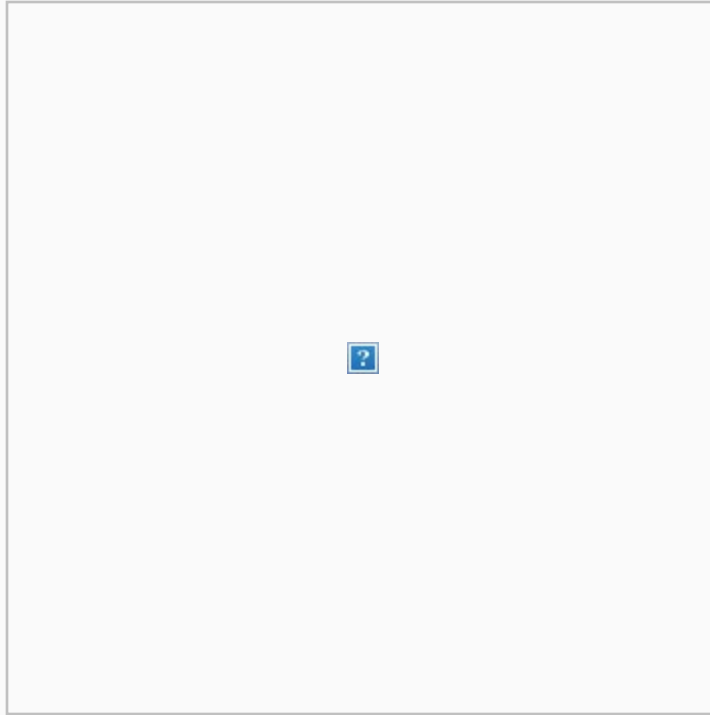


**Penobscot Nation & Conservation Law Foundation  
Give Public Comment to DEP About Proposed Landfill Expansion**

Public Comments deadline extended to September 6th

The Maine Department of Environmental Protection has extended the public comment deadline on the “Public Benefit” of expanding the Juniper Ridge Landfill until September 6th. They announced they will now make their decision by September 23rd, a month later than their original deadline.

The DEP is required to consider “Environmental Justice” when making a determination about whether a landfill expansion meets the “Public Benefit” criteria.



*Nine Dragons outflow pipe containing processed leachate from Juniper Ridge Landfill. Effluent has been found to contain PFAS. Photo by Sunlight Media Collective/Chek Wingo.*

Casella Waste Systems has applied for an expansion of Juniper Ridge Landfill, located in West Old Town, that could more than double the landfill's size. The landfill is state owned, but privately run by Casella. The Maine DEP is legally obligated to determine whether an expansion has "public benefit." They also must consider Environmental Justice when looking at the industrial facility's impact on surrounding communities, including the Penobscot Nation.

The Conservation Law Foundation and Penobscot Nation wrote a letter to the DEP expressing their concerns about the proposed landfill expansion. CLF and Penobscot Nation state that the expansion cannot meet the standards for a positive Public Benefits Determination because it is inconsistent with the State of Maine's Solid Waste Management Hierarchy and with ensuring environmental justice for the communities adjacent to the landfill. You can read their full letter [here](#).

The letter was signed by Chief Kirk Francis of the Penobscot Nation, the director of Penobscot Nation's Department of Natural Resources and Water Resources and Air Quality managers, as well as the Conservation Law Foundation.

"The Application does not meet the necessary criteria for a positive determination because it runs contrary to the State's Solid Waste Management Hierarchy, and because it would further deprive the public, in particular the Penobscot Nation, of the right to be protected from

environmental pollution and to live in and enjoy a clean and healthful environment. As it stands, the Commissioner must issue a negative determination.”

— Conservation Law Foundation & Penobscot Nation, letter to Maine DEP, 7/31/24, page 2.



*A section of Juniper Ridge Landfill. Photo by Sunlight Media Collective/Chek Wingo.*

The landfill is located between two streams (Pushaw Stream and Birch Stream) that both flow into the Penobscot River. The landfill's leachate waste is trucked to the now Nine Dragons mill in Old Town, where it receives minimal treatment and is released into the Penobscot River, directly below the Penobscot Nation. The Penobscot Nation has experienced environmental impacts from the Juniper Ridge Landfill including odors, a toxic fire in 2023 and reports of smaller fires since then, and

the discharging of minimally treated leachate which includes PFAS “forever chemicals” into the Penobscot Nation’s sustenance fishing waters. The leachate is not treated for PFAS before being dumped in the River.

“This contamination of traditional water and food sources of the Penobscot Nation is part of a larger web of disproportionate harm that the State’s landfilling has exacted on the Penobscot people for decades.”

“The requirement to treat JRL’s leachate for PFAS must include the opportunity for public input and strict agency oversight of the proposed treatment plan.”

— Conservation Law Foundation & Penobscot Nation, letter to Maine DEP, 7/31/24, page 18 and 21.

[In their letter to the DEP](#), Conservation Law Foundation and Penobscot Nation are clear in their opinion that the expansion proposal does not meet the State of Maine’s Solid Waste Management Hierarchy and would also fail to meet the new DEP requirement that “Public Benefit” include environmental justice. CLF and Penobscot Nation explain that communities adjacent to the landfill, including Penobscot Nation, would be substantially impacted by pollution from an expansion.

“Casella’s most recent annual report for JRL shows that in 2022 there was at least one leachate spill, where the toxic chemicals flowed across the landfill road before being contained. (70) This leachate spill was never announced to the public. The annual reports for JRL show a pattern of sporadic landfill fires and toxic spills, and a propensity to keep such information from the public. (71)”

— Conservation Law Foundation & Penobscot Nation, letter to Maine DEP, 7/31/24, page 15-16.



*Nine Dragons outflow pipe containing processed leachate from Juniper Ridge Landfill. Effluent has been found to contain PFAS. Photo by Sunlight Media Collective/Chek Wingo.*

In current solid waste law, the DEP has defined Environmental Justice as, “...the right to be protected from environmental pollution and live in and enjoy a clean and healthful environment, regardless of ancestry, class, disability, ethnicity, income, national origin or religion. Environmental justice includes the equal protection and meaningful involvement of all people with respect to the development, implementation, and enforcement of waste management laws, regulations, and licensing decisions.”

In their letter to the Maine DEP, the Conservation Law Foundation and Penobscot Nation explain how Casella’s application fails to meet the Public Benefit requirements for Environmental Justice (EJ) because Casella does not have plans to protect the community from landfill pollution risks and is also not providing opportunities for those

communities to have “*meaningful involvement of all people with respect to the development, implementation and enforcement of waste management laws, rules, regulations and licensing decisions,*” both of which are EJ requirements.

“...in their EJ analysis, Casella puts forth initiatives that have nothing to do with protecting the community from the environmental pollution of JRL. What's more, some of the initiatives Casella points to as ways it satisfies the EJ component of the PBD are programs that currently exist because *they are already required by existing law.*”

— Conservation Law Foundation & Penobscot Nation, letter to Maine DEP, 7/31/24, page 11.

“...Casella is asserting that the current basic legal requirements of public notice fulfill what “meaningful involvement” means, essentially rendering the EJ component of “meaningful involvement” an empty promise. This is a very misguided understanding of what “meaningful involvement” requires. The intention of the “meaningful involvement” provision can only be interpreted as requiring project proponents to *do more* than just the basic legal requirements and to be intentional with their community engagement efforts. If “meaningful involvement” equated to “business as usual” by a project proponent fulfilling the basic notice requirements, then the EJ provision would not have been necessary to pass into law: what is meaningful about following the basic requirements?”

— Conservation Law Foundation & Penobscot Nation, letter to Maine DEP, 7/31/24, page 12-13.



*Penobscot Nation Ambassador Maulian Bryant speaks about Juniper Ridge Landfill at a February 15th press conference. Photo by Nickie Sekera/Sunlight Media Collective.*

“Approving the Application would run counter to the State's Solid Waste Hierarchy that mandates promoting waste reduction, diversion, and recycling, and would further exacerbate the State's failure to achieve the statutory waste reduction and recycling goals laid out in 38 M.R.S.A. § 2132.”

— Conservation Law Foundation and Penobscot Nation, letter to Maine DEP, 7/31/24, page 4-5.

The landfill also still accepts out of state waste after Casella lobbied for a



postponement of recently passed restrictions. This out-of-state waste contains Construction and Demolition Debris (CDD) which is particularly toxic due to chemical additives that contaminate surface and groundwater, and soils. According to CLF and Penobscot Nation, Maine DEP recently stated: "Notably a significant amount of Maine's CDD originates in Massachusetts due to a ban on the disposal of CDD in Massachusetts."

"In short, rather than meeting Maine citizens' projected capacity needs, JRL's expansion largely meets *Massachusetts'* "capacity needs"..."

"CDD is now the largest waste stream filling up JRL, making up 60% of the waste accepted at JRL between 2012 and 2022. (29) This massive stream of CDD runs counter not only to the State's waste reduction goals, but also to their toxicity reduction goals."

"MEDEP has stated unequivocally that "CDD, CDD residue and other similar material, and OBW have been utilized as bulking material for stabilization," and that "[t]hese additional bulking materials compounded by sludge volumes have shortened the timeframe by which JRL is expected to reach its maximum capacity." (32)"

"...Casella, as of yet, has taken no concrete steps to achieve a more sustainable solution to their increase in sludge at JRL; all signs point to Casella demanding continued importation of CDD after 2025, when the loophole ends."

"Any approval for the Application must include a condition rectifying this lack of accountability and continued use of Maine's state-owned landfill for out-of-state waste."

— Conservation Law Foundation & Penobscot Nation, letter to Maine DEP, 7/31/24, page 5-8.



*This photo was taken in May 2024 during a large landfill fire at Juniper Ridge Landfill that was exclusively covered live and on the ground by Sunlight Media Collective.*

The Department of Environmental Protection will accept public comments, due September 6th.

Written comments may be submitted by email to [karen.knuuti@maine.gov](mailto:karen.knuuti@maine.gov).

The DEP will make a decision by September 23rd.

If you would like to tell your story to Sunlight Media Collective, we can

provide a written transcript of your thoughts on the expansion and current impacts of Juniper Ridge Landfill that you can then send to the DEP. Please contact us at [sunlightmediacollective@gmail.com](mailto:sunlightmediacollective@gmail.com).



*Penobscot Elder and activist Kathy Paul speaking at press conference on July 16, 2024, in conjunction with members of Don't Waste ME, Slingshot, and the Conservation Law Foundation. Photo by Sunlight Media Collective/Nickie Sekera.*

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